

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE: )  
 )  
MINDY JO OGLE, ) Bk. No. **15-01709-CW3-13**  
156 Wynbrooke Trace ) Chapter 13  
Hendersonville, TN 37075 ) Judge Charles M. Walker  
SSN: XXX-XX-1973 )  
Debtor(s). )

**THE DEADLINE FOR FILING A TIMELY RESPONSE IS:** September 6, 2016  
**IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE:** September 14, 2016 at 8:30 a.m. in Courtroom 1, 2<sup>nd</sup> Floor Customs House, 701 Broadway, Nashville, Tennessee 37203

TRUSTEE'S OBJECTION TO DEBTOR'S APPLICATION TO  
SET ASIDE DISMISSAL

Henry E. Hildebrand, III, Standing Trustee for Chapter 13 matters in the Middle District of Tennessee, respectfully objects to the application filed by the debtor seeking to set aside this Court's order of August 15, 2016 which dismissed the debtor's Chapter 13 case.

The debtor correctly points out that this Court approved a two-month suspension of the debtor's payments. However, the Trustee received no payments in support of the debtor's plan for the months of April, May, June, or July, 2016. The debtor's plan is currently in arrears by more than \$1,457 (even accounting for the approved suspension).

The debtor has provided no justification for the debtor's failure to make payments nor has the debtor established that the Chapter 13 plan remains feasible.

WHEREFORE, THE PREMISES CONSIDERED, the Trustee objects to the application filed by the debtor seeking to set aside this Court's order dismissing the debtor's case.

Respectfully submitted,

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III  
Chapter 13 Trustee  
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certifies that on or before the 23<sup>rd</sup> day of August, 2016, a true and correct copy of the foregoing has been served in the following manner:

**Email by Electronic Case Noticing to:**

U. S. Trustee  
Long Burnett & Johnson, Counsel for Debtor

**By U. S. Postal Service, postage prepaid to:**

Mindy J. Ogle, 156 Wynbrooke Trace, Hendersonville, TN 37075

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III  
Chapter 13 Trustee